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Total # of Pages 11 (including this page)

TO:	PHONE #:	FAX #:
Mail Stop RCE Commissioner For Patents U.S. Patent and Trademark Office		703.872.9306

From :	Richard San Pietro
Date :	<u>4/22/04</u>
Client/Matter No :	078853-0302
USSN :	10/029,372
Filing Date :	12/21/2001
Examiner :	Louise N. Leary
User ID No :	0079

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Transmitted herewith for filing in the above-referenced application are the following.

- 1) RCE Transmittal (3 pages); and
- 2) Amendment/Reply (7 pages).

Thank you.

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Operator:	Time Sent:	Return Original To: Line S. Gauthier
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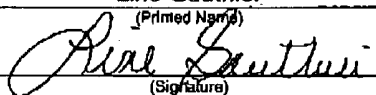
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Atty. Dkt. No. 078853-0302

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Roger A. Sabbadini

Title: COMPOSITIONS AND
METHODS FOR THE
TREATMENT AND
PREVENTION OF
CARDIOVASCULAR
DISEASES AND
DISORDERS, AND FOR
IDENTIFYING AGENTS
THERAPEUTIC THEREFOR

CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below. (703.872.9308)
Line Gauthier (Printed Name)
 (Signature)
April 22, 2004 (Date of Deposit)

Appl. No.: 10/029,372

Appl. Filing Date: 12/21/2001

Examiner: Louise N. Leary

Art Unit: 1654

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**REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL****OFFICIAL**

Mail Stop RCE
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. § 141, or the commencement of a civil action under 35 U.S.C. § 145 or § 146 (unless the appeal or civil action is terminated).

Atty. Dkt. No. 078853-0302

1. Submission required under 37 C.F.R. §1.114: (check items that apply)

Enclosed is an Amendment/Reply.

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$770.00	= \$770.00
Total Claims:	20	- 20	= 0	x \$18.00	= \$0.00
Independents	4	- 5	= 0	x \$86.00	= \$0.00
First presentation of any Multiple Dependent Claims:				+ \$290.00	= \$0.00
CLAIMS FEE TOTAL:					= \$770.00

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$110.00	0	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$420.00		\$0.00
<input checked="" type="checkbox"/>	Extension for response filed within the third month:	\$950.00		\$950.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,480.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$2,010.00		\$0.00
EXTENSION FEE SUBTOTAL:				\$950.00
EXTENSION FEE ALREADY PAID:				- \$0.00
EXTENSION FEE TOTAL				\$950.00
CLAIMS AND EXTENSION FEE TOTAL:				\$1720.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):			\$860.00
<input type="checkbox"/>	Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
TOTAL FEE:				\$860.00

Atty. Dkt No. 078853-0302

[X] Please charge Deposit Account No. 50-0872 in the amount of \$860.00. A duplicate copy of this transmittal is enclosed.

[] A check in the amount of \$860.00 to cover the filing fee is enclosed.

[X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date April 22, 2004By RS & BA

Richard J. Warburg
FOLEY & LARDNER LLP
Customer Number: 30542
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Richard San Pietro
Attorney for Applicant
Registration No. 45,071

Atty. Dkt. No. 078853-0302

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Roger A. Sabbadini

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FOR THE TREATMENT AND
PREVENTION OF
CARDIOVASCULAR DISEASES
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THERAPEUTIC THEREFOR

Appl. No.: 10/029,372

Filing Date: December 21, 2001

Examiner: Leary, Louise N.

Art Unit: 1654

CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, at facsimile number ((703) 872-9306), Alexandria, Virginia on the date below. <u>Line Gauthier</u> (Printed Name) <u>[Signature]</u> (Signature) <u>April 22, 2004</u> (Date of Deposit)

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AMENDMENT

Commissioner for Patents
Alexandria, Virginia 22313-1450

Sir:

OFFICIAL**Introductory Comments**

This communication is responsive to the Office Action dated August 27, 2003 and subsequent to the Notice of Appeal filed November 26, 2003, concerning the above-referenced patent application.